

### **DETAILED ACTION**

This communication is a first Office Action Non-Final rejection on the merits.

Claims 1-82, as originally filed, are currently pending and have been considered below.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-5, 20, 23, 24, 26, 27 29, 30, 44-46, 61, 64, 65, 67, 68, 70, and 71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what process and structural limitations are being claimed due to the claims failing to explicitly recite a function being performed. The claims recite a process that “**may**” or “**can**” be done, while failing to clearly recite what function is **actually** being performed. Examiner is unclear as to what functional limitations are being claimed.

#### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In order for a method to be considered

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a "process" under §101, a claimed process must either: (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials). *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972). If neither of these requirements is met by the claim, the method is not a patent eligible process under §101 and is non-statutory subject matter. With respect to claims 1-42, the claim language does not include the required tie or transformation and thus is directed to nonstatutory subject matter.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10, 17-20, 33, 35, 36, 38-51, 58-61, 74, 76, 77, and 79-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al. (WO 00/68865) in view of Newell et al. (US 2003/0112270).

**As per Claims 1 and 42**, Israel et al. discloses a method and system of handling data from multiple data sources for a legal matter, comprising:

a data facility for selecting a plurality of key information prompts relating to and incorporating information identified in a preliminary review of critical data that is pertinent to a legal matter, wherein the key information prompts direct entry agents to

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collect specific kinds of data that is pertinent to the legal matter (Pages 27-30, discloses providing key information prompts relating to a dispute via a Program User being prompted to select a profile classification; select the nature of the dispute; select an Opposing Party; and enter additional dispute information);

entering data from data sources through the key information prompts (Pages 27-30, discloses the Program User entering data via a user interface); and

associating the data with the key information prompts (Page 29, via sorting, compiling, organization, storing, and notification of information entering into the management module).

However, Israel et al. fails to explicitly disclose storing data in discrete packets; storing packets in data sets and data subsets; and organizing the data sets and data subsets in a matter database.

Newell et al. discloses a method and system for accessing litigation information with the concept of storing the data in linkable, discrete packets; storing such packets in data sets and data subsets; and organizing the data sets and data subsets in a matter database ([0029-0031] discloses a computer-based user interface that is storable on a portable computer-readable medium, wherein the user interface information includes a primary page having a plurality of links to a plurality of secondary pages. The primary page identifies a plurality of categories (i.e. datasets) such as pleading and case information; and subcategories (i.e. data subsets) such as discovery information and motions).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include storing data in discrete packets; storing packets in data sets and data subsets; and organizing the data sets and data subsets in a matter database as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 2 and 43**, Israel et al. discloses presenting the data in a report (Page 34, via Program Users may elect to create viewable and printable summary reports on all disputes).

**As per Claims 3 and 44**, Israel et al. discloses a viewer of the report may select the organization of the report by various parameters (Page 34, via the Program User may elect to view summary statistics (i.e. report) sorted, subtotaled, and total by any of the available qualifying and quantifying criteria (i.e. parameters)).

**As per Claims 4, 37, 45, and 78**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 2 and 43, above. However, the combination fails to explicitly disclose a viewer of the report may view the report in real-time while entering data.

Examiner asserts it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a report being viewable in real time while entering data since this concept is well known in the art of data processing. For

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example, when typing a document or a report in Microsoft Word, a user can view the document in real time on the user interface while entering information into the document. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the report be viewable in real time while entering data to allow a user to view the format and the appearance of the document while developing the document.

**As per Claims 5 and 46**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 2 and 43, above. However, the combination fails to explicitly disclose a viewer of the report may cross-navigate between the report and corresponding data entry screens.

Examiner asserts it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a user being able to cross-navigate between the report and corresponding data entry screens since the concept is well known in the art of data processing. For example, when using Microsoft Word, a user may have multiple documents opened in a plurality of windows (i.e. screens). A user is also capable of navigating between all the opened documents. Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to have a viewer of a report being able to cross-navigate between the report and corresponding data entry screens in order to provide the user the ability to refer to data from other sources and incorporate them into a document.

**As per Claims 6 and 47**, Israel et al. discloses organizing matter databases to form case libraries where data from one matter database may be linkable or importable

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to data from another matter database (Page 20-21, via transferring (i.e. importing) disputes saved in a database from one Program User to another Program User's account containing data stored in a database).

**As per Claims 7 and 48**, Israel et al. discloses the key information prompts relate to at least one of case critical data, contact information, data relating to parties to the legal matter, data relating to witnesses to legal matters, data relating to counsel for parties, data relating to a court, data relating to a judge, data relating to a date, data relating to a time, data relating to a sequence of events, data relating to a fact, data relating to a statement, data relating to an item of evidence, data relating to an entity, data relating to an institution, data relating to a legal issue, and data relating to a company (Pages 27-30, discloses providing key information prompts relating to a dispute via a Program User being prompted to select a profile classification; select the nature of the dispute; select an Opposing Party; and enter additional dispute information).

**As per Claims 8 and 49**, Israel et al. discloses enabling a user to analyze the data (Page 34, via a Program User may select to analyze settlement data for all mediation and/or arbitration cases for a particular Hearing Officer).

**As per Claims 9 and 50**, Israel et al. discloses permitting a user to analyze the data includes at least one of permitting linkage of data, term recognition of newly imported data, data queries, and data homogenization (Page 33, discloses permitting data queries via the Program User may select the "Find Dispute" icon to find a particular

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dispute wherein the system is prompted to search for any matching disputes base of the search criteria and display only those disputes which match the entered characters).

**As per Claims 10 and 51**, Israel et al. discloses providing a data entry graphical user interface which includes specified key information prompts for specific kinds of data collection (Pages 27-30, discloses providing key information prompts relating to a dispute via a user interface, wherein the Program User is prompted to select a profile classification; select the nature of the dispute; select an Opposing Party; and enter additional dispute information).

**As per Claims 17 and 58**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 10 and 51, above. However, the combination fails to explicitly disclose the data entry graphical user interface fits in an active space that is viewed on the same screen as a real-time generation of the report.

Examiner asserts it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a report being viewable in real time while entering data since this concept is well known in the art of data processing. For example, when typing a document or a report in Microsoft Word, a user can view the document in real time on the user interface while entering information into the document. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the report be viewable in real time while entering data to allow a user to view the format and the appearance of the document while developing the document.

**As per Claims 18 and 59**, Israel et al. discloses the claimed invention as applied to Claims 17 and 58, above. However, the combination fails to explicitly disclose a report containing cells or rows that are actively linked to specific records which appear in the data entry graphical user interface space.

Newell et al. discloses a method and system for accessing litigation information with the concept of a report containing cells or rows that are actively linked to specific records which appear in the data entry graphical user interface space ([0150], Fig. 3L, discloses a report containing rows (604) and columns (602A, 602B, 602C) in which the data containing in the report is actively linked to specific records (i.e. Minute Order re: status conference) which are stored on the graphical user interface).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include a report containing cells or rows that are actively linked to specific records which appear in the data entry graphical user interface space as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 19 and 60**, Israel et al. discloses the claimed invention as applied to Claims 10 and 51, above. However, Israel et al. fails to explicitly disclose key information prompts of the graphical user interface addressing data captured from at least one of an interview, a deposition, a telephone call and a meeting.



Newell et al. discloses a method and system for accessing litigation information with the concept of key information prompts of the graphical user interface addressing data captured from at least one of an interview, a deposition, a telephone call and a meeting ([0145] discloses the system comprising captured data from depositions wherein electronic copies of the deposition transcripts may be accessed via hyperlink).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include key information prompts of the graphical user interface addressing data captured from at least one of an interview, a deposition, a telephone call and a meeting as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 20 and 61**, Israel et al. discloses the claimed invention as applied to Claims 10 and 51, above. However, Israel et al. fails to explicitly disclose editing certain key information prompts so that the data entry graphical interface is thereby customized for collection of specific classes of data sources.

Newell et al. discloses a method and system for accessing litigation information with the concept of editing certain key information prompts so that the data entry graphical interface is thereby customized for collection of specific classes of data sources where such classes of data sources are selected from the group consisting of audio data sources, video or visual data sources, and data sources represented by

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tangible objects ([0145] disclose a graphical interface having the ability to collect classes of data sources such as audio and video via hyperlinks to electronic copies of deposition transcripts, and/or hyperlinks to other related information, include links to audio/video recordings).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include editing certain key information prompts so that the data entry graphical interface is thereby customized for collection of specific classes of data sources as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 33 and 74**, Israel et al. discloses the claimed invention as applied to Claims 1 and 42, above. However, Israel et al. fails to explicitly disclose the data sources being selected from a group consisting of documents and video media.

Newell et al. discloses a method and system for accessing litigation information with the concept of data sources being selected from the group consisting of documents, word processing files, spreadsheets, presentations, email documents, instant messaging documents, audio media, tapes, CDs, MP3 files, .wav files, sound files, video media, VHS tapes, BETA tapes, DVDs, streaming video files, microfiche, microfilm, data storage facilities, relational databases, data repositories, data marts, object-oriented databases, disks, mass storage media, servers, jump drives, flash

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memory, and memory sticks ([0097] discloses data sources such as electronic documents, image files, or multimedia (i.e. video) files).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include data sources being selected from a group consisting of documents and video media as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 35 and 76**, Israel et al. discloses the data entry agent being selected from the group consisting of an attorney, an associate, a partner, an employee, a consultant, a student, an intern, a government official, a volunteer, an attendant, a team member, a system administrator, a contractor, a vendor, an accountant, an auditor, a private investigator, a principal, an administrator, a paralegal, a law enforcement official, a risk analyst, a secretary, a document manager, litigation support staff personnel, an authorized user and an non-authorized user (Page 4, discloses a user entering data pertaining to a dispute being an authorized user via a user having program user access).

**As per Claims 36 and 77**, Israel et al. discloses the key information prompt is selected from a group consisting of object type, document type, media type, event, date, data source, brief description, detailed description, evidence code, bates code, party's address, parties copied, recipient, sender, author, legal comments, issue analysis, a

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privileged notation, and a sensitive notation (Page 27, discloses a user being prompted select the nature of the dispute (i.e. event) such as a bad loan, foreclosure, personal injury).

**As per Claims 38 and 79**, Israel et al. discloses the claimed invention as applied to Claims 10 and 51, above. However, Israel et al. fails to explicitly disclose providing a report containing cells or links.

Newell et al. discloses a method and system for accessing litigation information with the concept of providing a report containing cells or links which correlate to key information data fields appearing on a corresponding graphical user interface where such user interface may be accessed and simultaneously viewed through clicking on a link (Fig. 3C-1; discloses providing a report (350), wherein the report contains cells and links that correlate to key information (i.e. docket) wherein the user interface may be accessed and viewed simultaneously via (308A-O)).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include disclose providing a report containing cells or links as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 39 and 80**, Israel et al. discloses the claimed invention as applied to Claims 38 and 79, above. However, Israel et al. fails to explicitly disclose the report

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consisting of four column chronogrid showing events/evidence, description of events/evidence, parties, and legal comments.

Newell et al. discloses a method and system for accessing litigation information with the concept of the report consisting of four column chronogrid showing events/evidence, description of events/evidence, parties, and legal comments (Fig. 3C-1; 3N, discloses a four column chronogrid (wherein the data is organized in chronological order) pertaining to plaintiff's response to interrogatories which provides the "Action" (i.e. event) and comments).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include the report consisting of four column chronogrid showing events/evidence, description of events/evidence, parties, and legal comments as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 40 and 81**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 2 and 43, above. However, the combination fails to explicitly disclose a report relating to performance of data entry agents.

Examiner asserts that the data contained in a report is considered non-functional descriptive material as recited. The fact that the data is pertaining to the performance of

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data entry agents does not change the function of the claimed invention. Examiner contends that the Israel et al. and Newell et al. combination is fully capable of using a report relating to performance of data entry agents.

**As per Claims 41 and 82**, Israel et al. discloses the claimed invention as applied to Claims 2 and 43, above. However, Israel et al. fails to explicitly disclose a report relating to linkage of at least one of key fact, an issue, an event, a date, a person, an organization, and a data source.

Examiner asserts that the data contained in a report is considered non-functional descriptive material as recited. The fact that the data relates to linkage of at least one of key fact, an issue, an event, a date, a person, an organization, and a data source does not change the function of the claimed invention. Examiner contends that the Israel et al. and Newell et al. combination is fully capable of using a report relating to linkage of at least one of key fact, an issue, an event, a date, a person, an organization, and a data source.

6. Claims 11-14, 16, 21, 30-32, 52-55, 57, 62, and 71-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al. (WO 00/68865) in view of Newell et al. (US 2003/0112270) and in further view of Racine et al. (7,337,411).

**As per Claims 11 and 52**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 10 and 51, above. However, the combination fails to explicitly disclose a tiered data entry space.

Racine et al. discloses a logistics management system with the concept of a tiered data entry space (Abstract, discloses a user interface with tiered data entry).

Therefore, from the teaching of Racine et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include a tiered data entry space as taught by Racine et al. in order to provide a user interface that allows a user to interact with multiple screens and allow a user to selectively display sets of input areas.

**As per Claims 12 and 53**, Israel et al. discloses the claimed invention as applied to Claims 11 and 52, above. However, Israel et al. fails to explicitly disclose a first tier addressing critical details of the data source.

Newell et al. discloses a method and system for accessing litigation information with the concept of a first tier addressing critical details of the data source (Fig. 4C-1, discloses the system addressing critical details of a pleading (i.e. data source).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include a first tier addressing critical details of the data source as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 13 and 54**, Israel et al. discloses the claimed invention as applied to Claims 12 and 53, above. However, Israel et al. fails to explicitly disclose the critical details being selected from the group consisting of a date, a document code, an evidence code, a source, a document type, an object type, a media type, an author, a

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contracting party, a narrator, an interviewer, a copied party, a receiving party, a sending party, an owner, a party mentioned, a location, and a dimension.

Newell et al. discloses a method and system for accessing litigation information with the concept of the critical details being selected from the group consisting of a date, a document code, an evidence code, a source, a document type, an object type, a media type, an author, a contracting party, a narrator, an interviewer, a copied party, a receiving party, a sending party, an owner, a party mentioned, a location, and a dimension (Fig. 4C-1, discloses the date of the pleading, the document type (i.e. object type), and a party).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include critical details as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 14 and 55**, Israel et al. discloses the claimed invention as applied to Claims 11 and 52, above. However, Israel et al. fails to explicitly disclose a tier permitting detailed textual summary of the data source.

Newell et al. discloses a method and system for accessing litigation information with the concept of a tier permitting detailed textual summary of the data source (Fig. 3J-2, discloses providing a detailed summary of the discovery document via "Description" (504B)).



Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include a tier permitting detailed textual summary of the data source as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 16 and 57**, Israel et al. discloses the claimed invention as applied to Claims 11 and 52, above. However, Israel et al. fails to explicitly disclose a tier for commentary between data entry agents related to the data source and matter.

Newell et al. discloses a method and system for accessing litigation information with the concept of a tier for commentary between data entry agents related to the data source and matter (Fig. 3C-1, discloses providing a commentary section (352D) on the user interface to provides comments relating to a document (i.e. data source)).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include a tier for commentary between data entry agents related to the data source and matter as taught by Newell et al. in order to provide an easy-to-use interface that provides a logical relationship between dispute information, and allows a user to quickly locate and view desired dispute information.

**As per Claims 21 and 62**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 10 and 51, above. However, the combination fails to explicitly disclose a pop-up graphical interface.

Racine et al. discloses a logistics management system with the concept of a pop-up graphical user interface (Fig. 4 (50), Fig. 9 (134), Fig. 12 (206A, 206B), Fig. 18 (292), discloses a pop-graphical interface which contains a pre-selected listing of information for the data field for a user to choose from).

Therefore, from the teaching of Racine et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include a pop-up graphical interface as taught by Racine et al. in order to provide an efficient means to perform data entry.

**As per Claims 30 and 71**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 10 and 51, above. However, the combination fails to explicitly disclose key information prompts being embodied in pop-up graphical interfaces.

Racine et al. discloses a logistics management system with the concept of key information prompts being embodied in pop-up graphical interfaces (Fig. 16 (284, 286, 288); Fig. 17 (284, 286, 288), discloses a pop-up graphical interfaces having prompts for entering routing information)

Therefore, from the teaching of Racine et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include key information prompts being embodied in

pop-up graphical interfaces as taught by Racine et al. in order to provide an efficient means to perform data entry.

**As per Claims 31 and 72**, the Israel et al. discloses key information prompts embodies in separate graphical user interfaces functioning independently of other graphical user interfaces (Pages 27-30, discloses providing key information prompts relating to a dispute via a Program User being prompted to select a profile classification; select the nature of the dispute; select an Opposing Party; and enter additional dispute information. Page 15, discloses having a plurality of user terminals for entering data wherein the terminals can be directly linked to the system).

**As per Claims 32 and 73**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 1 and 42, above. However, the combination fails to explicitly disclose a pop-up graphical user interface appearing during entry of data.

Racine et al. discloses a logistics management system with the concept of a pop-up graphical user interface appearing during entry of data to permit multiple entries of data linkable to the same data source and its corresponding data record within the matter database (Fig. 16; Col. 21, Line 62-Col. 22, Line 38, discloses a pop-up graphical interface used for data entry).

Therefore, from the teaching of Racine et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include a pop-up graphical user interface appearing

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during entry of data as taught by Racine et al. in order to provide an efficient means to perform data entry.

7. Claims 15 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al. (WO 00/68865) in view of Newell et al. (US 2003/0112270) and in further view of Racine et al. (7,337,411) and Heckman et al. (5,875,431).

The Israel et al., Newell et al., and Racine et al. combination discloses the claimed invention as applied to Claims 11 and 52, above. However, the combination fails to explicitly disclose a tier permitting analysis of legal issues.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of a tier permitting analysis of legal issues (Col. 8, Lines 6-20, via list of material issues and summaries of their merit together with a brief description of damages).

Therefore, from the teaching Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include a tier permitting analysis of legal issues as taught by Heckman et al. in order to aid in managing litigation and other legal matters and aid in predicting an outcome and evaluation.

8. Claims 22-29, 34, 63-70, and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Israel et al. (WO 00/68865) in view of Newell et al. (US 2003/0112270) and in further view of Heckman et al. (5,875,431).

**As per Claims 22 and 63**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 1 and 42, above. However, the combination fails to explicitly disclose a supervising data entry agent determining and assigning a finite number of legal issues for a particular matter.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of a supervising data entry agent determining and assigning a finite number of legal issues for a particular matter to be analyzed for each data source by certain authorized data entry agents working on such matter (Col. 7, Line 15-Col. 8, Line 20; Col. 10, Line 57-Col. 11, Lines 62, discloses identifying the legal issues for a particular matter. Col. 9, Lines 6-20, discloses assigning tasks via determining who is responsible for the overall matter and who will be responsible for completion of identified phases of case development).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include a supervising data entry agent determining and assigning a finite number of legal issues for a particular matter as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

**As per Claims 23 and 64**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 22 and 63, above. However, the combination fails to explicitly disclose an agent being able to select issues from an issue database that resides in the system.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of an agent being able to select issues from an issue database that resides in the system (Claims 2 and 3, discloses identifying legal issues in a case using a system wherein the system comprises a memory storage means, and a display means).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include an agent being able to select issues from an issue database that resides in the system as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

**As per Claims 24 and 65**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 22 and 63, above. However, the combination fails to explicitly disclose the agents being able to suggest new issues.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of the agents being able to suggest new issues (Col. 11, Line 48-Col. 12, Line 6, discloses reviewing a strategic plan for deviations from the original legal issues as originally identified and (Col. 19, Lines 36-59) offering suggestions when a variance from the Strategic Plan is encountered).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include the agents being able to suggest new issues

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as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

**As per Claims 25 and 66**, Israel et al. discloses the claimed invention as applied to Claims 24 and 65, above. However, Israel et al. fails to explicitly disclose issues marked as pending.

Newell et al. discloses a method and system for accessing litigation information with the concept of issues marked as pending (Fig. 4F-2, discloses marking data as pending (888J)).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and method for providing complete non-judicial dispute resolution management of Israel et al. to include issues marked as pending as taught by Newell et al. in order to aid in tracking the status of a plurality of litigations.

**As per Claims 26 and 67**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 24 and 65, above. However, Israel et al. fails to explicitly disclose a supervisor being able to review issues.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of a supervisor being able to review issues (Col. 11, Lines 48-62, discloses conducting an interactive review of legal issues).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et

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al. and Newell et al. combination to include a supervisor being able to review issues as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

**As per Claims 27 and 68**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 22 and 63, above. However, Israel et al. fails to explicitly disclose selecting new issues from the issue database.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of selecting new issues from the issue database (Claims 2 and 3, discloses identifying legal issues in a case using a system wherein the system comprises a memory storage means, and a display means).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include selecting new issues from the issue database as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

**As per Claims 28 and 69**, Israel et al. discloses the claimed invention as applied to Claims 27 and 68, above. However, Israel et al. fails to explicitly disclose issues marked as pending.

Newell et al. discloses a method and system for accessing litigation information with the concept of issues marked as pending (Fig. 4F-2, discloses marking data as pending (888J)).

Therefore, from the teaching of Newell et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system and



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method for providing complete non-judicial dispute resolution management of Israel et al. to include issues marked as pending as taught by Newell et al. in order to aid in tracking the status of a plurality of litigations.

**As per Claims 29 and 70**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 28 and 69, above. However, the combination fails to explicitly disclose a supervisor being able to approve such issues.

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of approve issues (Col. 10, Line 57-Col. 11, Line 41, discloses parties approving legal issues in a case).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include a supervisor being able to approve such issues as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

**As per Claims 34 and 75**, the Israel et al. and Newell et al. combination discloses the claimed invention as applied to Claims 1 and 42, above. However, the combination fails to explicitly disclose authorized data entry agents being determined by the roles and privileges defined by supervising data entry agent(s).

Heckman et al. discloses a legal strategic analysis planning and evaluation control system and method with the concept of authorized data entry agents being determined by the roles and privileges defined by supervising data entry agent(s) (Col. 9, Lines 7-20, discloses determining who will be responsible for overall matter or case

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management and who will be responsible for completion of identified phases of case development. If any individuals are new to the team, the benefits and limitations of their inclusion will be described).

Therefore, from the teaching of Heckman et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Israel et al. and Newell et al. combination to include authorized data entry agents being determined by the roles and privileges defined by supervising data entry agent(s) as taught by Heckman et al. in order to aid in managing litigation and other legal matters.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Young et al. (US 2003/0149577) discloses online client procurement system for attorneys.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FONYA LONG whose telephone number is (571)270-5096. The examiner can normally be reached on Mon-Thur 7:30am-6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on (571) 272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. L./

Examiner, Art Unit 3689

/Janice A. Mooneyham/

Supervisory Patent Examiner, Art Unit 3689